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09/986,393	11/08/2001	Yasuko Suzuki	00760069 AA	5651

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EXAMINER

OSORIO, RICARDO

ART UNIT	PAPER NUMBER
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2673

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DATE MAILED: 04/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/986,393

**Applicant(s)**

SUZUKI, YASUKO

**Examiner**

RICARDO L OSORIO

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 28 November 2003.  
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-6 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 2, and 6 are rejected under 35 U.S.C. 102(e) as being anticipated by Brisebois et al. (6,369,803).

Regarding claim 1, Brisebois teaches of a method of inputting information (col. 9., lines 55-63), comprising:

The first step of sensing that a user's finger touches a key for inputting information (col. 5, lines 7-9 and 12-14, col. 7, lines 16-29, and col. 9, lines 58-59), the second step of displaying information assigned to said key touched by said user's finger on a display means (col. 9, lines 57-59), and the third step of deciding to input said information displayed on said display means, when said key is pushed down at pressure higher than a predetermined value (col. 7, lines 34-43 and col. 9, lines 60-62).

Regarding claim 2, Brisebois teaches that said key touched by said user's finger is one of plural keys to which plural informations are respectively assigned in said first step (col. 5, lines 7-9 and 12-14, col. 7, lines 51-52), and a function assigned to said key touched by said user's

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finger is determined depending on a scene on said display means in said second step (col. 7, lines 49-53 and col. 8, lines 44-45).

Regarding claim 6, Brisebois teaches of an information-inputting apparatus (col. 9, lines 55-63) comprising: keys for inputting information (col. 5, lines 7-9 and 12-14), a means for sensing that said key is touched by a user's finger (col. 7, lines 16-29, and col. 9, lines 58-59), a display means for displaying said information assigned to said key touched by said user's finger (Fig. 5A, reference character 510, and col. 9, lines 57-59), a means for detecting pressure exerted on said key (col. 7, lines 34-43), and a means for deciding to input said information displayed on said display means, when said key is pushed down at said pressure higher than a predetermined value (col. 7, lines 34-43 and col. 9, lines 60-62).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brisebois et al (see above rejection under 102e) in view of Kraft et al (6,487,424).

Regarding claim 3, Brisebois teaches that said key touched by said user's finger selects desired information out of plural informations in said first step (Fig. 5B and col. 9, lines 14-25), and said display means successively displays said plural informations at a predetermined

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interval, when said user's finger continues to touch or slightly press, in an upward or downward motion, across the surface of active edge input device (col. 9, lines 41-47).

However, Brisebois does not clearly teach that said display means successively displays said plural informations at a predetermined interval, when said user's finger continues to touch the key.

Kraft teaches that said display means successively displays said plural informations at a predetermined interval, when said user's finger continues to touch a key (Fig. 8, reference character 41, col. 14, lines 51-52, and col. 15, lines 3-4).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to continuously touch a key for successively displaying plural informations, as taught by Kraft, in the device of Brisebois because scroll keys are widely known in the art of graphical user interfaces to be used to navigate through a list of options.

7. Claims 4-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brisebois et al (see above rejection under 102e) in view of Waldman (5,311,175).

Regarding claim 4, Brisebois teaches that said key touched by said user's finger is one of component keys of a ten key that is used in a cellular telephone (see Fig. 5A, reference character 525, col. 3, lines 43-44, and col. 8, line 63), or of a function-selecting key for selecting a desired function out of plural functions in said first step (col. 5, lines 7-9 and 12-14, and col. 9, lines 14-19), and shifts a cursor to a selective item assigned to said component key touched by said user's finger on said display means, when one of said component keys of said function-selection key is touched by said user's finger in said second step (Fig. 5B, and col. 9, lines 16-19 and 23-28,

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wherein said selective item is included in plural selective items which respectively correspond to said component keys of said function-selecting key and are displayed on said display means (col. 5, lines 7-9 and 12-14, and col. 9, lines 14-19).

However, Brisebois does not explicitly teach that the ten key is used for inputting a numeral. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the ten key of Brisebois for inputting a numeral because it is widely known in the art of cellular telephones that the ten key is used to enter a telephone number.

Also, Brisebois fails to teach that said display means displays said numeral assigned to said component key touched by said user's fingers, when one of said component keys of said ten key is touched by said user's finger.

Waldman teaches of a key touched by said user's finger is one of component keys of a ten key for inputting a numeral (Fig. 1, reference character 2-1), and that said display means displays said numeral assigned to said component key touched by said user's fingers, when one of said component keys of said ten key is touched by said user's finger (col. 9, lines 10-28 and col. 10, lines 7-39). Note that in col. 10, lines 24-25, it reads "any or all information discussed above could be easily conveyed visually on a screen". Also, note that before this, in col. 9, lines 16-20, it is being taught that putting the user's finger in the 1 key would result in the audio voice message "one". There is clear and sufficient support for displaying a numeral, such as 1, on the screen after putting a user's finger on the respective numeral key.

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Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to display the numeral assigned to the touched key, as taught by Waldman, in the device of Brisebois because non-familiar users do not need to learn where the keys are located since there is no need to watch the keys while typing the number, therefore, saves time and simplifies data input. Also, since only the display needs to be watched, and not the keys, in a dangerous situation, as when driving an automobile, it is less of a distraction from the road in comparison to also having to look at the keys.

Regarding claim 5, Brisebois teaches of a ten key keypad that is used in a cellular telephone (see Fig. 5A, reference character 525, and col. 8, line 63).

Also, Brisebois teaches that said function-selecting key is that used in said cellular telephone which selects said desired function out of said plural functions (see Fig. 5B, reference character 500 and col. 9, lines 15-20).

However, Brisebois does not explicitly teach that the ten key is used for inputting a telephone number.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the ten key for inputting a telephone number, in the device of Brisebois and Waldman, because it is widely known in the art of cellular telephones that the ten key is used to enter a telephone number.

***Response to Arguments***

1. Applicant's arguments filed 11-28-2003 have been fully considered but they are not persuasive.

First, applicant argues that Brisebois does not teach of info-inputting keys with the ability to differentiate between a light touch and a firm touch to respond accordingly.

Examiner disagrees because Brisebois teaches of info-inputting keys with the ability to differentiate between a light and a firm touch to respond accordingly (col. 7, lines 34-43 and col. 9, lines 60-62). Also, The flexible strips may be sectioned ribs and may include protrusions (col. 5, lines 7-9 and 12, and col. 9, line 4. A plurality of sections with protrusions can be considered keys). In addition, applicant discloses, in page 11, lines 3-9, that detecting that keys are pushed down at pressure higher than predetermined value is well known.

Next, Applicant argues that Brisebois does not show of successively displaying said plural informations at predetermined interval, when user's finger continues to touch the key.

Examiner disagrees because Kraft teaches that said display means successively displays said plural informations at a predetermined interval, when said user's finger continues to touch a key (Fig. 8, reference character 41, col. 14, lines 51-52, and col. 15, lines 3-4). Plural info is successively displayed when user's finger continues to touch the scroll key 41.

2. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after



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the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ricardo L. Osorio whose telephone number is (703) 305-2248. The examiner can normally be reached on Mon-Thu from 7:00 AM-6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin Shalwala, can be reached at 305-4938.


**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to: (703) 872-9314 (for Technology Center 2600 only)**

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

  
**BIPIN SHALWALA**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2600**

Ricardo L. Osorio  
Examiner  
Art Unit: 2673

RLO  
April 1, 2004